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Docket No.: AK 1002 2003
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Masasuke Sakai et al.

Application No.: 10/089,551

Art Unit: 1616

Filed: April 1, 2002

Examiner: Neil S. Levy

For: AEROSOL COMPOSITION

P. Tuck
12
9/17/03

SUPPLEMENTAL RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

REMARKS

This Supplemental Response is in further response to the Office Action dated April 24, 2003 (Paper No. 1), and supplemental to the Amendment filed August 25, 2003. This is in full and timely response to the Office Action mailed April 24, 2003, which was submitted concurrently with a Petition for Extension of Time to within the first extended month.

In further support of the discussion of Canadian Patent No. 1166374 to Suk and European Patent No. 0 888 716 to Watanabe et al. discussing flash points, Applicant submits a Declaration of tests that were conducted to compare flash points of the solutions with various ratio of isopropyl alcohol as lower alcohol. The results of the tests are given in Table 1 of the Declaration. As stated in the Declaration, "It can be clearly seen the Sample with the existing of the lower alcohol (isopropyl alcohol) of about 10% or more has the flash point at 25 to 28 degree Celsius." Accordingly, the references do not disclose, teach or suggest any concentrate which does not have a flash point under 1 atm. pressure.